

Received

AUG 23 2019

IN THE MATTER OF	*	BEFORE THE MARYLAND	Board of Social Work Examiners
JENNA L. NEWMAN, LCSW-C	*	STATE BOARD OF	
Respondent	*	SOCIAL WORK EXAMINERS	
License Number: 16670	*	Case Number: 2018-2492	

\* \* \* \* \*

**CONSENT ORDER**

On January 23, 2019, the Maryland State Board of Social Work Examiners (the “Board”) issued a *Notice of Intent to Revoke Licensure* to JENNA L. NEWMAN, LCSW-C (the “Respondent”), License Number 16670, pursuant to the Maryland Social Workers Act (the “Act”), Md. Code Ann., Health Occ. (“Health Occ.”) §§ 19-101 *et seq.* (2014 Repl. Vol. and 2018 Supp.).

Specifically, the Board based its action on the Respondent’s violation of the following provisions of the Act and COMAR:

**Health Occ. § 19-311. Denials, reprimands, suspensions, and revocations – Grounds.**

Subject to the hearing provisions of § 19-312 of this subtitle, the Board may deny a license to any applicant, fine a licensee, reprimand any licensee, place any licensee on probation, or suspend or revoke a license if the applicant or licensee:

- (6) Violates any provision of this title or regulations governing the practice of social work adopted and published by the Board; [and]
- (7) Is convicted of or pleads guilty or nolo contendere to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside[.]

**COMAR 10.42.03.03. Responsibilities to Clients.**

B. The licensee may not:

- (1) Participate or condone dishonesty, fraud, deceit, or misrepresentation.

On June 26, 2019, a Case Resolution Conference ("CRC") was held before a committee of the Board. As a resolution of this matter, the Respondent agreed to enter this public Consent Order consisting of Findings of Fact, Conclusions of Law, and Order.

**FINDINGS OF FACT**

The Board makes the following Findings of Fact:

1. At all times relevant, the Respondent was licensed to practice clinical social work in the State of Maryland. The Respondent was initially licensed to practice clinical social work in Maryland on or about October 10, 2013. The Respondent's license is current through October 31, 2019.
2. On or about April 17, 2018, the Board received a complaint from an Assistant State's Attorney with the Baltimore City State's Attorney's Office reporting that on or about February 26, 2018, the Respondent pled guilty to one count of Theft Between \$100 and \$1,500 in the District Court of Maryland for Baltimore City (Mental Health Court Docket), Case Number 5B02366817. The Respondent's sentencing was held *sub curia*.
3. Based on the complaint, the Board initiated an investigation into this matter.
4. In the course of its investigation, the Board obtained the Respondent's court records from the District Court of Maryland for Baltimore City and the District Court of Maryland for Baltimore County.

5. The Respondent's court record from the District Court of Maryland for Baltimore City revealed that on or about December 6, 2017, the Respondent was charged with Theft: \$100 to Under \$1,500, in violation of Md. Code Ann., Crim. Law ("Crim. Law") § 7-104, in Case Number 5B02366817. The Application for Statement of Charges alleged that on or about November 28, 2017, the Respondent stole \$692 worth of clothing and jewelry from a store in Baltimore City.

6. On or about February 26, 2018, the Respondent appeared in the District Court of Maryland for Baltimore City and pleaded guilty to the sole count of Theft: \$100 to Under \$1,500. The Court held sentencing *sub curia*. The disposition of the Respondent's case was continued to March 15, 2018, March 20, 2018, and April 16, 2018. Pending the disposition of the Baltimore City case, the Respondent was charged with Theft: \$100 to Under \$1,500 in the District Court of Maryland for Baltimore County for an incident that occurred on or about March 6, 2018. Ultimately, the Respondent's case was transferred to the Mental Health Court docket to address the Respondent's mental health condition.

7. The Respondent's court record from the District Court of Maryland for Baltimore County revealed that on or about March 8, 2018, the Respondent was charged with Theft: \$100 to Under \$1,500, in violation of Crim. Law § 7-104, in Case Number 0C00459452.

8. On or about May 7, 2018, the Respondent appeared in the District Court of Maryland for Baltimore County and pleaded not guilty on an agreed statement of facts and was found guilty of the charge. The Court granted the Respondent probation before

judgment pursuant to Md. Code Ann., Crim. Procedure § 6-220 (2014 Repl. Vol.), and placed her on supervised probation for one year.

9. On or about January 9, 2019, the Respondent was charged in the District Court of Maryland for Baltimore County with three new counts of Theft: \$100 to Under \$1,500, in violation of Crim. Law § 7-104, under Case Numbers 4C00471741, 5C00471742 and 6C00471743. The dates of the alleged thefts occurred on or about January 9, 2018, February 9, 2018, and March 2, 2018, respectively.<sup>1</sup>

#### **CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact, the Board concludes as a matter of law that the Respondent's plea of guilty to Theft: \$100 to Under \$1,500, in violation of Crim. Law § 7-104, in the District Court of Maryland for Baltimore City on or about February 26, 2018, constitutes: violating any provision of this title or regulations governing the practice of social work adopted and published by the Board, *to wit*, COMAR 10.42.03.03B(1), in violation of § 19-311(6); and pleading guilty to a crime involving moral turpitude, in violation of § 19-311(7).

Moreover, the Respondent being found guilty of Theft: \$100 to Under \$1,500, in violation of Crim. Law § 7-104, in the District Court of Maryland for Baltimore County on or about May 7, 2018, constitutes violating any provision of this title or regulations

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<sup>1</sup> Subsequent to the issuance of the *Notice of Intent to Revoke Licensure*, the Board determined that the Respondent was found guilty and granted probation before judgment in Case Number 6C00471743, and Case Numbers 4C00471741 and 5C00471742 were placed on the stet docket.

governing the practice of social work adopted and published by the Board, *to wit*, COMAR 10.42.03.03B(1), in violation of § 19-311(6).

**ORDER**

It is, on the affirmative vote of a majority of the Board, hereby:

**ORDERED** that the Respondent's license to practice social work in the State of Maryland be and hereby is **SUSPENDED** for a minimum period of **THREE (3) MONTHS** to commence on the date the Board executes this Consent Order and continuing until such time as she has complied with the following terms and conditions:

1. Mental Health and Substance Abuse Evaluation
  - a. Before the Respondent may file a petition to terminate the suspension of her license, she shall undergo a mental health and substance abuse evaluation by a Board-approved health care provider (the "Board Evaluator"), who will submit a report to the Board within **fifteen (15) business days** of the completion of the evaluation, to assist the Board in determining whether the Respondent can safely resume the practice of social work, and if so, under what conditions.
2. Baltimore City Mental Health Court
  - a. The Respondent shall continue to participate in the Baltimore City Mental Health Court as ordered in the District Court of Maryland for Baltimore City, Criminal Case Number 5B2366817. Any unsuccessful discharge or violation of probation in the Baltimore City Mental Health Court shall constitute a violation of this Consent Order.
3. Substance Abuse Outpatient Program
  - a. The Respondent shall continue with her current substance abuse outpatient treatment program (the "Outpatient Program").

- b. The Respondent shall fully, timely and satisfactorily cooperate and comply with all recommendations and requirements from the Outpatient Program, which must include at the very least the following requirements:
  - i. The Respondent shall be subject to periodic drug screening as directed by the Outpatient Program.
  - ii. The Outpatient Program shall submit quarterly reports to the Board summarizing the Respondent's treatment sessions, including, but not limited to, its assessment of the Respondent's progress and the results of the Respondent's drug screens. The Respondent shall make all reasonable effort to ensure that the Outpatient Program submits the required quarterly reports to the Board in a timely manner.
- c. The Respondent shall continue to participate in the Outpatient Program unless otherwise directed by the Board. The Board may terminate this condition after considering the Outpatient Program's recommendations.
- d. The Respondent's failure to comply with the recommendations or requirements of the Outpatient Program shall be deemed a violation of this Consent Order.
- e. In the event that the Respondent's treatment plan is amended with respect to the Outpatient Program, and such amendment approved by the Baltimore City Mental Health Court, the Respondent shall not be in breach of this Consent Order, provided that she remains in compliance with the Baltimore City Mental Health Court's requirements regarding her outpatient substance abuse treatment.
- f. In the event that the Respondent's treatment plan is amended with respect to the Outpatient Program, and such amendment is approved by the Baltimore City Mental Health Court, the Respondent shall notify the Board of the amended treatment plan **within ten (10) days** of the Baltimore City Mental Health Court approving the amended treatment plan.

4. Mental Health Care Providers
  - a. The Respondent shall continue with her current mental health care providers (the "Mental Health Care Providers").
  - b. The Respondent shall fully, timely and satisfactorily cooperate and comply with all recommendations and requirements from the Mental Health Care Providers, which must include at the very least the following requirements:
    - i. The Mental Health Care Providers shall submit quarterly reports to the Board summarizing the Respondent's treatment sessions; including, but not limited to, their assessment of the Respondent's progress and the results of any drug screens. The Respondent shall make all reasonable effort to ensure that her Mental Health Care Providers submit the required quarterly reports to the Board in a timely manner.
  - c. The Respondent shall continue to receive mental health care treatment from her Mental Health Care Providers unless otherwise directed by the Board. The Board may terminate this condition after considering the Mental Health Care Providers' recommendations.
  - d. The Respondent's failure to comply with the recommendations or requirements of her Mental Health Care Providers shall be deemed a violation of this Consent Order.
  - e. In the event that the Respondent's treatment plan is amended with respect to her Mental Health Care Providers, and such amendment approved by the Baltimore City Mental Health Court, the Respondent shall not be in breach of this Consent Order, provided that she remains in compliance with the Baltimore City Mental Health Court's requirements regarding her mental health care providers.
  - f. In the event that the Respondent's treatment plan is amended with respect to her Mental Health Care Providers, and such amendment is approved by the Baltimore City Mental Health Court, the Respondent shall notify the Board of the amended

treatment plan **within ten (10) days** of the Baltimore City Mental Health Court approving the amended treatment plan.

5. Releases:
  - a. The Respondent shall sign a release or releases from time to time to ensure that the Board has the ability to receive any and all records from the Baltimore City Mental Health Court, any substance abuse treatment program(s) she attended, attends or may attend, and any mental health care provider, including the Board Evaluator, from whom she received, receives or may receive treatment.
6. The Respondent shall be solely responsible for ensuring that she provides the Board with adequate written verification that she has fully and successfully complied with the above terms and conditions.
7. Petition to Terminate the Suspension:
  - a. Provided the Respondent has successfully complied with the above terms and conditions, and after the conclusion of the entire **three (3) months of suspension**, the Respondent may file a petition with the Board requesting a termination of the suspension of her license.
  - b. If the Board determines that the Respondent fails to fully comply with the above terms and conditions, or that the Board evaluator finds that she cannot safely resume the practice of social work, the Board shall continue the suspension of the Respondent's license until she has complied with all of the above terms and conditions and the Board evaluator finds that she can safely resume the practice of social work.

**AND IT IS FURTHER ORDERED** that in the event that the Board terminates the suspension of the Respondent's license, the Respondent shall be placed on **PROBATION** for a minimum period of **THREE (3) YEARS**, which shall commence on the date the Board terminates the suspension of the Respondent's license and shall continue until all of the following terms and conditions are met:

1. The following terms and conditions of the Respondent's license suspension shall continue unless otherwise directed by the Board: the Baltimore City Mental Health Court, Substance Abuse Outpatient Program, Mental Health Care Providers and Releases.
2. Clinical Supervisor
  - a. In the event that the Board determines that the Respondent is safe to practice social work and prior to the Respondent begins to practice social work, the Respondent shall secure a Board-approved clinical supervisor (the "Supervisor") who shall supervise the Respondent's practice of social work.
  - b. The Respondent shall have monthly face-to-face meetings with the Supervisor to discuss any professional, ethical or clinical issues, as well as for the purpose of clinical chart reviews.
  - c. The Respondent shall provide the Supervisor with a copy of this Consent order prior to their initial meeting, and the Board may release to the Supervisor any portion of the Board's file on the Respondent, as it deems necessary.
  - d. The Respondent shall make all reasonable effort to ensure that the Supervisor provide quarterly reports to the Board in a timely manner documenting the progress of the Respondent's supervision, including professional, ethical or clinical issues discussed, and the results of the chart reviews.
  - e. A negative report from the Supervisor may result in a violation of this Consent Order.
3. The Respondent shall comply with the Maryland Social Workers Act and all laws, statutes and regulations pertaining thereof.
4. The Respondent shall obey all state and federal laws. If the Respondent is charged with any crime(s) (other than minor citations that involves no incarceration), she shall notify the Board, in writing, within **ten (10) days** service of the summons or warrant.

**AND IT IS FURTHER ORDERED** that after the conclusion of the entire **THREE (3) YEAR** period of probation, the Respondent may submit a written petition to the Board

requesting termination of probation. After consideration of the petition, the probation may be terminated through an order of the Board. The Respondent may be required to appear before the Board or a committee of the Board to discuss her petition for termination. The Board will grant the petition to terminate the probation if the Respondent has complied with all of the probationary terms and conditions and there are no pending complaints involving similar violations found in this case before the Board; and it is further

**ORDERED** that if the Board determines, after notice and an opportunity for an evidentiary hearing if there is a genuine dispute as to a material fact or a show cause hearing before the Board if there is no genuine dispute as to a material fact, that the Respondent has failed to comply with any terms or condition of probation or this Consent Order, the Board may reprimand the Respondent, place the Respondent on probation with appropriate terms and conditions, impose a civil monetary fine upon the Respondent, or suspend or revoke the Respondent's license to practice social work in Maryland; and it is further

**ORDERED** that the Respondent shall not serve or continue to serve as: a Board authorized sponsor, presenter and/or trainer of social work continuing education learning activities, an ethics tutor, an evaluator for the Board, or a Board-approved supervisor for a period of five (5) years from the effective date of this Consent Order; and it is further

**ORDERED** that the Respondent is responsible for all costs incurred in fulfilling the terms and conditions of this Consent Order; and it is further

**ORDERED** that this Consent Order is a **PUBLIC DOCUMENT** pursuant to Md. Code Ann., Gen. Provisions §§ 4-101 *et seq.* (2014).

8/9/2019  
Date

*Sherryl L. Silberman LCSW-C*

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Sherryl Silberman, LCSW-C  
Board Chair  
Maryland State Board of  
Social Work Examiners

**CONSENT**

I, Jenna L. Newman, LCSW-C, acknowledge that I am represented by counsel and have consulted with counsel before entering into this Consent Order. By this Consent and for the purpose of resolving the issues raised by the Board, I agree and accept to be bound by the foregoing Consent Order and its conditions.

I acknowledge that validity of this Consent Order as if entered into after the Conclusion of a formal evidentiary hearing in which I would have had the right to Counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf, and to all other substantive and procedural protections provided by the law. I agree to forego my opportunity to challenge these allegations. I acknowledge the legal authority and jurisdiction of the Board to initiate these proceedings and to issue and enforce this Consent Order. I affirm that I am waiving my right to appeal any adverse ruling of the Board that might have followed after any such hearing.

I sign this Consent Order after having an opportunity to consult with counsel, voluntarily and without reservation, and I fully understand and comprehend the language, meaning and terms of this Consent Order.

August 14, 2019  
Date

Jenna L. Newman  
Jenna L. Newman, LCSW-C  
Respondent

**NOTARY**

STATE OF MARYLAND  
CITY/COUNTY OF Baltimore

I HEREBY CERTIFY that on this 14th day of August, 2019, before me, a Notary Public of the foregoing State and ~~City/County~~ personally appear Jenna L. Newman, LCSW-C, and made oath in due form of law that signing the foregoing Consent Order was her voluntary act and deed.

AS WITNESSETH my hand and notary seal.

Linda M. Belt  
Notary Public

My commission expires: 8-14-22

